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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/812,436	03/30/2004	Roy Cullimore	N001-5257

ADAMS & WILKS
31st Floor
50 Broadway
New York, NY 10004

CONFIRMATION NO. 3365
FORMALITIES LETTER



OC000000012919222

Date Mailed: 06/10/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - Numbers, letters, and reference characters on the drawings must measure at least 0.32 cm (1/8 inch) in height. See Figure(s) 4A,4C-4I (Words in the drawing are not readable).

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

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Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
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*A copy of this notice **MUST** be returned with the reply.*

JH
Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Application of :
Charles R. PELLEGRINO et al. :
Serial No. 10/812,436 : Group Art Unit - 1651
Filed: March 30, 2004 :
For: METHOD AND APPARATUS FOR :
PRODUCTION AND REFINEMENT :
OF MICROBIAL CONSORCIA AND :
METHOD OF USE OF MICROBIAL :
CONSORCIA AS THERAPEUTIC :
AGENT : Docket No. N001-5257

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MS MISSING PARTS
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**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION**

S I R:

On June 10, 2004, the PTO issued a Notice To File Missing Parts Of Nonprovisional Application ("Notice") advising that the application was filed without a declaration and providing a two-month period in which to submit the declaration and surcharge for late filing thereof.

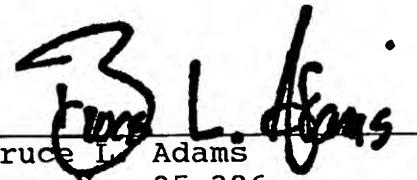
MAILING CERTIFICATE ON PAGE 2

In response to the PTO Notice, a duly signed declaration is submitted herewith together with a check in the sum of \$65.00 to cover the required surcharge for the late filing of the declaration in a small entity status application. Also submitted is a copy of the PTO Notice. Should the check prove insufficient for any reason, authorization is hereby given to charge any such deficiency to Deposit Account No. 01-0268.

It is respectfully requested that the processing of the application be completed, and that the application be assigned to an Examiner for examination.

Respectfully submitted,

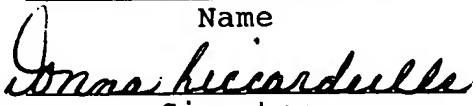
ADAMS & WILKS
Attorneys for Applicants

By: 
Bruce L. Adams
Reg. No. 25,386

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31st Floor
New York, NY 10004
(212) 809-3700

MAILING CERTIFICATE

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: MS MISSING PARTS COMMISSIONER FOR PATENTS, P.O. BOX 1450 ALEXANDRIA, VA 22313-1450, on the date indicated below.

Donna Riccardulli
Name

Signature

SEPTEMBER 10, 2004
Date